

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

DAVID YURMAN ENTERPRISES LLC and DAVID YURMAN IP LLC,

Plaintiffs,

- against -

SUSAN WAXMAN d/b/a LOOKS A LOT ALIKE, XYZ COMPANIES 1-10, and JOHN AND JANE DOES 1-10,

Defendants.

Civil Action No. 2:18-cv-01906 (LAK)(SN)

PERMANENT INJUNCTION ON CONSENT AND STIPULATION OF DISMISSAL

| CALLY FILED |
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| |
| 2/20/2018 |
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WHEREAS, Plaintiffs David Yurman Enterprises LLC and David Yurman IP LLC (collectively "Yurman") are the owners of U.S. copyright registrations covering the following jewelry designs (collectively, the "Yurman Copyrighted Design"):

| Yurman's Design | Registration No. | Date Issued |
|-----------------|------------------|-------------------|
| | VA 1-823-085 | June 11, 2012 |
| | VA 1-849-600 | January 1, 2013 |
| | VA 1-396-825 | November 24, 2006 |

| Yurman's Design | Registration No. | Date Issued |
|-----------------|------------------|------------------|
| | | |
| | VA 1-908-902 | April 24, 2014 |
| | VA 1-344-469 | May 5, 2005 |
| | | |
| | VA 1-670-591 | June 4, 2009 |
| | VA 1-282-478 | November 6, 2003 |

| Yurman's Design | Registration No. | Date Issued |
|-----------------|------------------------------|-----------------------------------|
| | VA 1-722-966 | June 9, 2010 |
| | : | |
| | VA 1-800-982 | November 15, 2011 |
| | VA 1-908-902 VA 1-935-471 | April 24, 2014 November 17, 2014 |
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| Yurman's Design | Registration No. | Date Issued |
|-----------------|------------------|-----------------|
| | VAu 733-123 | August 23, 2006 |
| | VAu 405-161 | May 3, 2012 |
| 50 | VA 1-747-809 | July 8, 2009 |
| 8 | | |
| | | |
| | VA 1-116-155 | August 28, 2001 |
| | VA 1-024-276 | August 21, 2000 |
| | VA 1-038-299 | October 6, 1999 |

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WHEREAS, copies of the registration certificates covering the Yurman Copyrighted Designs, along with excerpts of the corresponding deposit materials, are attached hereto as **Exhibit A**;

WHEREAS, Yurman is the owner and registrant of several well-known word trademarks used in connection with DAVID YURMAN-brand jewelry products, including the following:

- (a) U.S. Trademark Registration No. 2,918,700 for the mark QUATREFOIL for "Fine jewelry and precious stones" in International Class 14, which was registered on January 18, 2005;
- (b) U.S. Trademark Registration No. 2,959,204 for the mark ALBION for "Fine jewelry and precious stones" in International Class 14, which was registered on June 7, 2005;
- (c) U.S. Trademark Registration No. 3,599,276 for the mark METRO CABLE for "Fine jewelry" in International Class 14, which was registered on March 31, 2009;
- (d) U.S. Trademark Registration No. 3,628,543 for the mark WHEATON for "Jewelry" in International Class 14, which was registered on May 6, 2009; and
- (e) U.S. Trademark Registration No. 4,422,585 for the mark LABYRINTH for "Precious metal items, namely, Earrings, Pendants and Rings with diamonds and/or colored gemstones set in smooth precious metal intertwined with sculpted cable precious metal" in International Class 14, which was registered on October 22, 2013 (the QUATREFOIL, ALBION, METRO CABLE, WHEATON, and LABYRINTH marks and registrations are hereinafter collectively referred to as the "Yurman Word Marks");

WHEREAS, copies of the certificates of registration for the Yurman Word Marks are attached hereto as Exhibit B:

WHEREAS, Yurman is also the owner and registrant of several well-known design marks used in connection with DAVID YURMAN-brand jewelry products, including the following:

(f) U.S. Trademark Registration No. 4,655,095 for the following "Cable Classics" bracelet design:



for "Jewelry; Bracelets" in International Class 14, which was registered on December 16, 2014; and

(g) U.S. Trademark Registration No. 5,025,164 for the following "Renaissance" bracelet design:



for "Jewelry; Bracelets" in International Class 14, which was registered on August 23, 2016 (the "Cable Classics" and "Renaissance" bracelet design marks and registrations are hereinafter collectively referred to as the "Yurman Design Marks", and together with the Yurman Word Marks, the "Yurman Trademarks");

WHEREAS, copies of the certificates of registration for the Yurman Design Marks are attached hereto as Exhibit C.

WHEREAS, on March 2, 2018, Yurman filed a Complaint in this action against Susan Waxman d/b/a Looks A Lot Alike ("Waxman"), seeking injunctive relief and damages for alleged knowing, intentional and pervasive acts of copyright infringement, trademark counterfeiting and/or infringement, false designation of origin, dilution, and unfair competition, in violation of the laws of the United States, and the statutory and common law of the State of New York, arising out of (a) Waxman's offering for sale and sale of products (the "Accused Products") that Yurman claims infringe the Yurman Copyrighted Designs and/or the Yurman Design Marks (photographs of the Accused Products being attached hereto as Exhibit D), and (b) Waxman's unauthorized use of the Yurman Word Marks in connection with the offering for sale and sale of the Accused Products and other products; and

WHEREAS, the Parties have subjected themselves to and admitted the Court's jurisdiction over the persons and subject matter of this action; and

WHEREAS, each Party has been afforded the opportunity to consult with, and has consulted with, an attorney of its own choice in connection with this action; and

WHEREAS, the Parties have consented to the entry of this Permanent Injunction on Consent and Stipulation of Dismissal in full and final resolution of their respective claims and defenses against one another in this action; and

WHEREAS, the Court having jurisdiction over the subject matter of this Civil Action and over the Parties, and venue in this action being proper in this judicial district.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Waxman and her related companies, as well as her respective agents, servants, employees, attorneys and all natural or legal persons acting on her behalf, or in concert with any of them, shall be PERMANENTLY ENJOINED and RESTRAINED throughout the world, from

attempting to do or causing to be done, directly or indirectly, by any means, method, or device whatsoever, or by any person or persons whomsoever, the following acts:

- manufacturing, importing, exporting, advertising, purchasing, offering for sale, selling, promoting, or marketing the Accused Products;
- designing, manufacturing, importing, exporting, advertising, purchasing,
 offering for sale, selling, promoting, or marketing any jewelry products
 that contain any design or combination of design elements that is
 substantially similar to any of the Yurman Copyrighted Designs;
- c. designing, manufacturing, importing, exporting, advertising, purchasing, offering for sale, selling, promoting, or marketing any jewelry products that are confusingly similar to any of the Yurman Design Marks, or making any other unauthorized use of the Yurman Design Marks;
- d. designing, manufacturing, importing, exporting, advertising, purchasing, offering for sale, selling, promoting, or marketing any jewelry products that bear any mark, or make unauthorized use of any mark, that is confusingly similar to any of the Yurman Word Marks;
- e. using any simulation, reproduction, counterfeit, copy, or colorable imitation of any of the Yurman Trademarks in connection with the promotion, advertisement, display, sale, offer for sale, manufacture, production, importation, circulation or distribution of any products or their packaging;

- f. engaging in any course of conduct likely to cause confusion, deception or mistake, or to injure Yurman's business reputation or dilute the distinctive quality of the Yurman Trademarks;
- g. making any statement or representation whatsoever, or using any false designation of origin or false description, or performing any act, which can or is likely to lead the trade or public, or individual members thereof, to believe that any products manufactured, imported, exported, distributed, advertised, promoted, offered for sale and/or sold by Waxman are in any manner associated with, sponsored by and/or approved or authorized by Yurman, or that Waxman is associated with sponsored by and/or approved or authorized by Yurman;
- h. making any use of the David Yurman name or any variations or individual elements thereof including, without limitation, "David Yurman", "Yurman", "D. Yurman", "D.Y." and "DY" for any and all purposes;
- effecting any assignments or transfers, forming new entities or associations or utilizing any other devises for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs 1(a) through 1(h).
- 2. The Court retains jurisdiction of this action for the purpose of enforcing the provisions of this Permanent Injunction on Consent by way of contempt motion or otherwise, and the Parties consent to and will not challenge such jurisdiction.
 - 3. Waxman waives any right to appeal this Permanent Injunction on Consent.

- 4. The Parties agree that each Party shall bear its own costs and attorneys' fees associated with this Permanent Injunction on Consent and the Civil Action to date. However, the Parties further agree that the prevailing Party in any subsequent suit or motion for contempt of this Permanent Injunction on Consent shall recover its costs and reasonable attorneys' fees from the other Party
- 5. Except as otherwise provided in this Permanent Injunction on Consent, this action shall be deemed dismissed with prejudice.

DÁVID YURMAN ENTERPRISES LLC

DAVID YURMAN IP LLC

by its attorneys ARNOLD & PORTER KAYE SCHOLER LLP

by its attorneys ARNOLD & PORTER KAYE SCHOLER LLP

Bv:

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Paul C. Llewellyn
Matthew T. Salzmann
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New York, New York 10019
Telephone: 212-836-8000
louis.ederer@arnoldporter.com
paul.llewellyn@arnoldporter.com

matthew.salzmann@arnoldporter.com

SUSAN WAXMAN d/b/a LOOKS A LOT ALIKE

by her attorneys FURGANG & ADWAR, L.L.P.

Bv

Philip Furgang

Robert Spinak

515 Madison Avenue, Suite 6A New York, New York 10022

Telephone: 212-725-1818

philip@furgang.com spin@furgang.com **-**J.

Louis S. Ederer

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New York, New York 10019

Telephone: 212-836-8000 louis.ederer@arnoldporter.com

paul.llewellyn@arnoldporter.com matthew.salzmann@arnoldporter.com

ORDERED:

7/26/2018

EXHIBIT A



This Certificate issued under the seal of the Copyright Office in accordance with title 17. United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallate

Register of Copyrights, United States of America

Registration Number VA 1-823-085

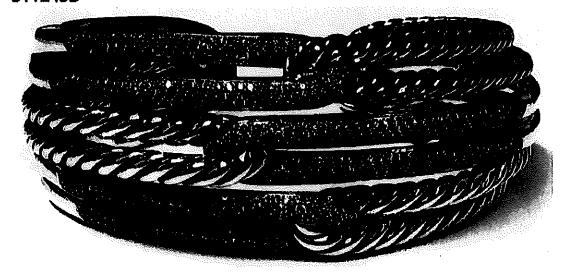
Effective date of registration:

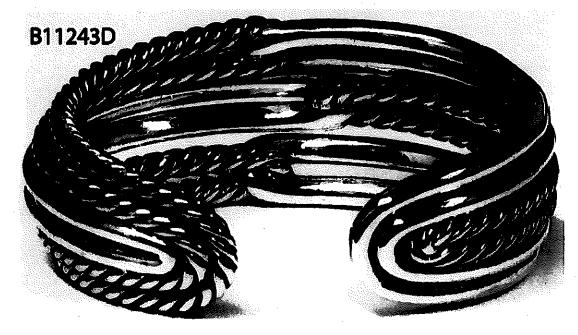
June 11, 2012

| Title of Work: | LABYRINTH - B1124 | 3D |
|--|----------------------|--|
| ompletion/Publication - Year of Completion: | | |
| Date of 1st Publication: | March 8, 2012 | Nation of 1st Publication: United States |
| uthor — | | |
| Author: | DAVID YURMAN | |
| Author Created: | jewelry design | |
| Work made for bire: | No | |
| Citizen of: | United States | Domickled in: United States |
| Year Borns | 1942 | |
| Copyright claimant —— | | |
| Copyright Claimant: | DAVID YURMAN IP | LLC |
| • | 24 VESTRY STRUET, | NEW YORK, NY 10013, United States |
| Transfer Statement: | By written agreement | |
| Certification ——— | | |
| Name: | SUSAN STAGNA, ES | Q. |
| Duter | June 11, 2012 | |

LABYRINTH-B11243D

B11243D







This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Registration Number VA 1-849-600

Effective date of registration:

January 23, 2013

| Title —— | Title of Work: | | |
|---|---------------------|--------------------------------------|---|
| Completion/Publication ~ Year of Completion: | | | Nation of 1st Publication: United States |
| Author — | | | |
| | n Author: | DAVID YURMAN | |
| | Author Created: | jewelry design | |
| | Work made for hire: | No | |
| | Citizen of: | United States | Domiciled in: United States |
| | Your Born: | 1942 | |
| Copyright | cialmant | | |
| | Copyright Cleimant: | DAVID YURMAN IP 24 VESTRY STREET, | LIC NEW YORK, NY, 10013, United States |
| | Transfer Statement: | By written agreement | |
| Certificatio | on ——— | | |
| | Name: | ARTHUR NAZRO, BS | SQ. |
| | I)nte: | Junuary 23, 2013 | |

E11655D





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Geters
Register of Copyrights, United States of America

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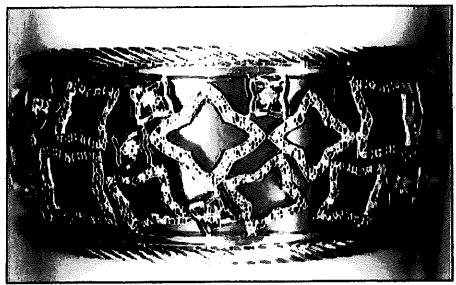
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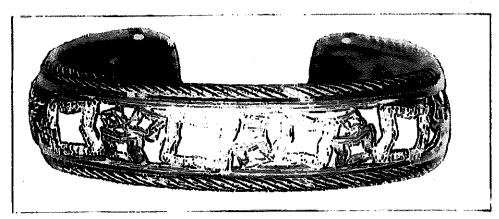
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David Yurman Tapestry Collection 2006

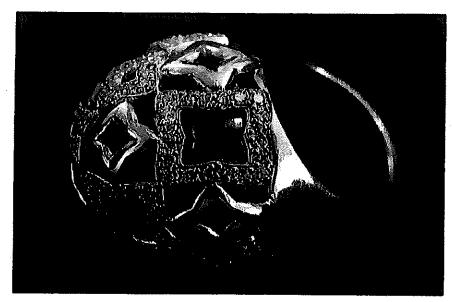


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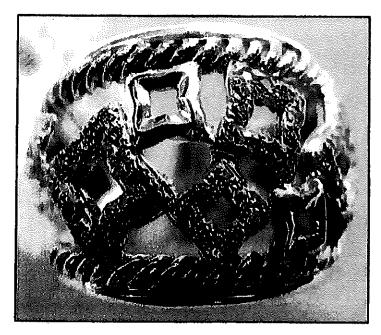


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David Yurman Tapestry Collection 2006



R07722



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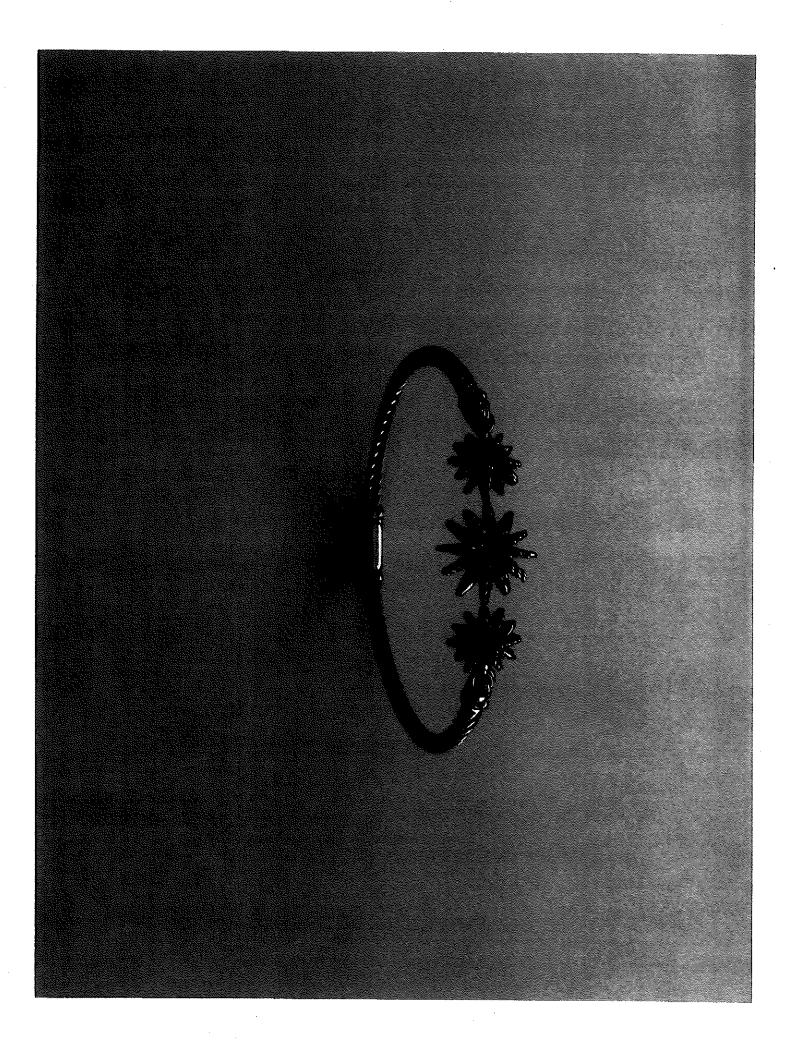
This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Registration Number VA 1-908-902

Effective date of registration:
April 24, 2014

| Title of Work: | Women's Additions 2014 | (Starburst) | | |
|--------------------------|----------------------------|-----------------------------|---------------|-------------|
| Completion/Publication - | | | | |
| Year of Completion: | | | | |
| Date of 1st Publication: | March 1, 2014 | Nation of 1st Publication: | United States | |
| Author — | | | | |
| | David Yurman | | | • |
| Author Created: | jewelry design | · | | |
| Citizen of: | United States | Domiciled in: | United States | |
| Year Born: | 1942 | | | |
| Copyright claimant —— | | | | |
| Copyright Claimant: | DAVID YURMAN IP LLA | C | | |
| | 24 Vestry Street, New York | k, NY, 10013, United States | | |
| Transfer Statement: | By written agreement | | | |
| Rights and Permissions | | | | |
| Organization Name: | DAVID YURMAN IP LL | c | | |
| Name: | Arthur Phillips Nazro | | | |
| Email: | pnazro@davidyurman.com | n . | Telephone: | 646-264-748 |
| Address: | 24 Vestry Street | • | • 1 | |
| | New York, NY 10013 Un | ited States | | _ |
| Certification ——— | | | | |
| Name: | Arthur Phillips Nazro | | | |
| Date: | April 24, 2014 | | | - |
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Maria A. Vallate

Register of Copyrights, United States of America

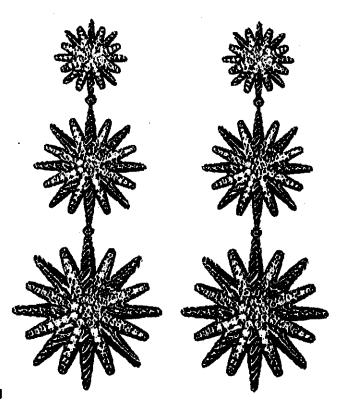
Registration Number VA 1-800-949

Effective date of registration:

October 27, 2011

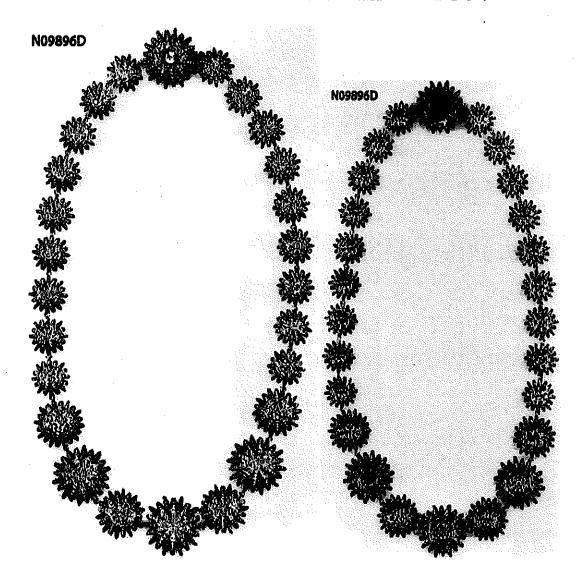
| Title — | | |
|---|-----------------------|----------------------------------|
| Title of Work | STARBURST COLLECTION | ON |
| Completion/Publication • Year of Completion: Date of 1st Publication: | | |
| Author — | | |
| | DAVID YURMAN | |
| Author Created: | jewelry design | |
| Work made for hire: | No | |
| Citizen of: | United States | Domiciled in: United States |
| Year Born: | 1942 | |
| Copyright claimant —— | | |
| Copyright Claimant: | YURMAN STUDIO, INC. | |
| • | 24 VESTRY STREET, NEV | V YORK, NY, 10013, United States |
| Transfer Statement: | By written agreement | |
| Certification — | | |
| Name: | Susan Spagna, Esq. | |
| Date: | October 27, 2011 | |
| | | |

STARBURST COLLECTION



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STARBURST COLLECTION





This Certificate issued under the seal of the Copyright Office in accordance with this 17. United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Fallante
Register of Copyrights, United States of America

Registration Number VA 1-840-979

Rifective date of registration: May 17, 2012

Title Title of Work: STARBURST - N11370D Completion/Publication Year of Completion: 2012 Nation of 1st Publication: United States Date of 1st Publication: March 8, 2012 Author Author: DAVID YURMAN Author Created: jewelry design Work made for hire: No Domiciled In: United States Citizen of: United States Year Born: 1942 Copyright claimant Copyright Ciniment: DAVID YURMAN IP LLC 24 VESTRY STREET, NEW YORK, NY 10013, United States Transfor Statement: By written agreement Limitation of copyright claim Material excluded from this claim: Starburst elements. Previous registration and yeart VA 1-800-949 Now material included in claim: The arrangement of, including the number, the placement and distance between the starturast elements on the chain. The combination of two strands of chains linked by starburst elements creates the allusion of shooting stars flying through the galaxy. The use of 2 strands of chain, when viewed sideways, best described as a half-moon design, seemingly float away from each other and yet are static in their distance and shape, giving movement to the design. The half-moon shape of the 2 strands of chains are connected by starburst element, where the half-moon and starburst elements are flowing

towards the larger four starburst elements.

Certification

Name: SUSAN SPAGNA, ESQ.

Date: May 17, 2012

Correspondence: Yes



STARBURST-N11370D





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Marybeth Cates
Register of Copyrights, United States of America

Registration Number:

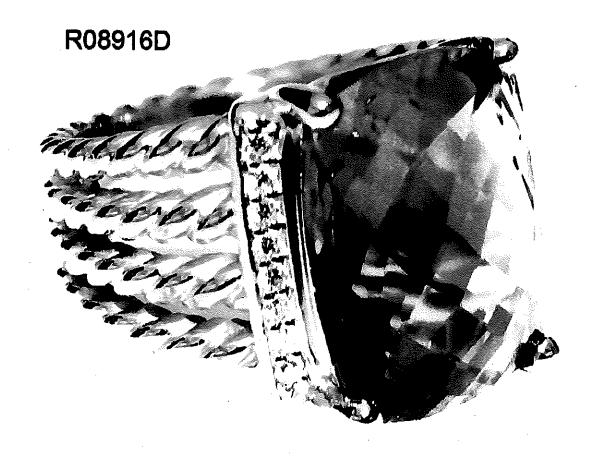
VA 1-670-591

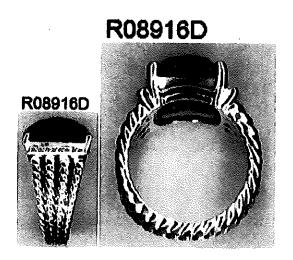
Effective date of registration:

June 4, 2009

| Title - | | | | |
|------------|---|---|--|--|
| | Title of Work: | WHEATON | | |
| Complet | ion/ Publication = Year of Completion: Date of 1st Publication: | | Nation of 1st Publication: United States | |
| Author • | | | | |
| • | Author: | DAVID YURMAN | | |
| | Author Created: | jewelry design | | |
| | Work made for hire: | No | | |
| | Citizen of: | United States | Domiciled in: United States | |
| v | Year Born: | 1942 | | |
| Copyrigh | t claimant | | | |
| | | YURMAN STUDIO, INC. 24 VESTRY STREET, NEW YORK, NY, 10013, United States | | |
| | Transfer Statement: | By written agreement | | |
| Certificat | tion — | · | | |
| | Name: | SUSAN SPAGNA, ESQ. | | |
| | Date: | June 4, 2009 | , | |
| | Correspondence: | Yes | | |

WHEATON





WHEATON



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This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
Register of Copyrights, United States of America

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VA 1-282-478

EFFECTIVE DATE OF REGISTRATION

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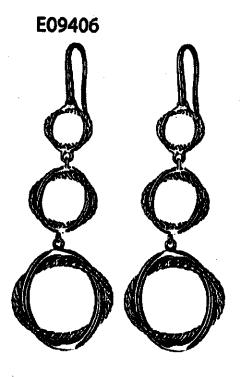
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Register of Copyrights, United States of America

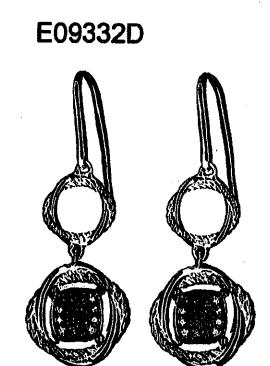
Registration Number VA 1-722-966

Effective date of registration:
June 9, 2010

| | Infinity Collection Addition Earrings | | |
|---|---------------------------------------|-------------------------------|--|
| Completion/Publication Year of Completion: Date of 1st Publication: | 2009 | | |
| Author ———— | | | |
| *************************************** | David Yurmen | | |
| Author Created: | jewelry design | | |
| Work made for hire: | No | | |
| Citizen of: | United States | Domiciled in: United States | |
| Year Born: | 1942 | | |
| Copyright claimant — | | | |
| Copyright Claimant: | Yurman Studio, Inc. | | |
| | 24 Vestry Street, New Y | ork, NY, 10013, United States | |
| Transfer Statement: | By written agreement | | |
| Limitation of copyright Material excluded from this claim: | jewelry design | | |
| New material included in claim: | jowelry design | | |
| Certification ——— | | | |
| Name: | Susan Spagna, Esq. | | |
| Date: | June 9, 2010 | | |

INFINITY COLLECTION ADDITION EARRINGS









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Register of Copyrights, United States of America

Registration Number VA 1-800-982

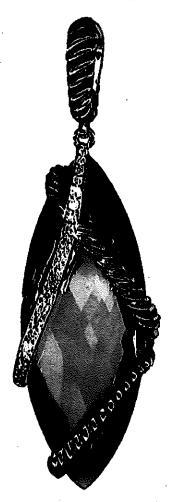
Effective date of registration:

November 15, 2011

| Title | Title of Work: | D09566D | | |
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| Completion/Publication – Year of Completion: | | | | |
| | Date of 1st Publication: | September 22, 2010 | Nation of 1st Publication: United States | |
| Author – | | | | |
| • | 4 Author: | DAVID YURMAN | | |
| | Author Created: | jewelry design | | |
| | Work made for hire: | No | | |
| | Citizen of: | United States | Domiciled in: United States | |
| | Year Born: | 1942 | | |
| Copyright | t claimant —— | | | |
| | Copyright Claimant: | YURMAN STUDIO, IN | NC. | |
| | | 24 VESTRY STREET, 1 | NEW YORK, NY, 10013, United States | |
| | Transfer Statement: | By written agreement | • | |
| Certificat | ion — | | | |
| | Name: | Susan Spagna, Esc |). | |
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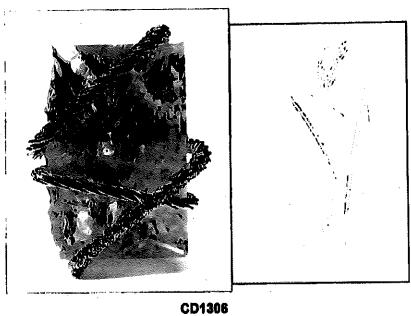
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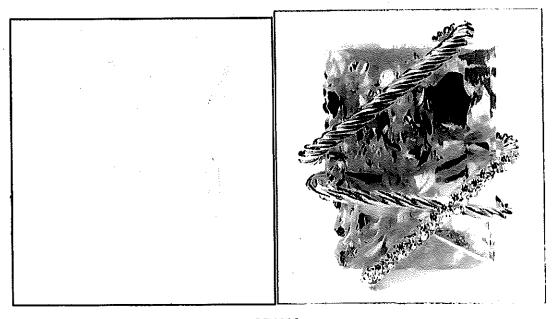
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David Yurman 2006 Collection XIV





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CERTIFICATE OF REGISTRATION



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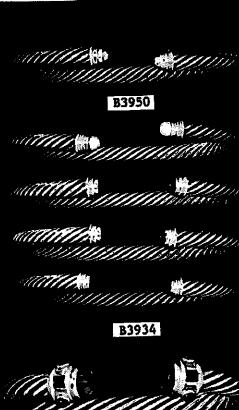


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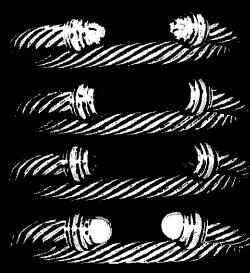
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Registration Number VA 1-747-809

Effective date of registration:
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Title of Work: MOONLIGHT ICE Completion/Publication -Year of Completion: 2008 Date of 1st Publication: March 2, 2009 Nation of 1st Publication: United States **Author** Author: DAVID YURMAN Author Created: jewelry design Work made for hire: No Citizen of: United States Domiciled in: United States Year Born: 1942 Copyright claimant -Copyright Claimant: YURMAN STUDIO, INC. 24 VESTRY STREET, NEW YORK, NY, 10013, United States Transfer Statement: By written agreement Limitation of copyright claim Material excluded from this claim: jewelry design 1998 Previous registration and year: VAu 405-161 New material included in claim: jewelry design Certification Name: SUSAN SPAGNA, ESQ.

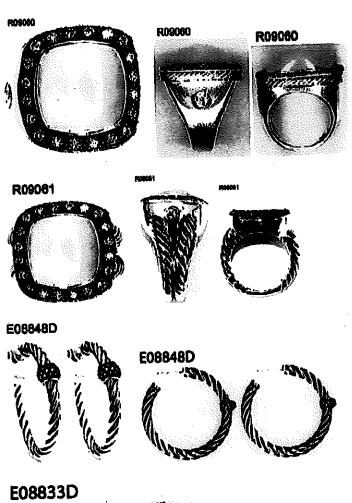
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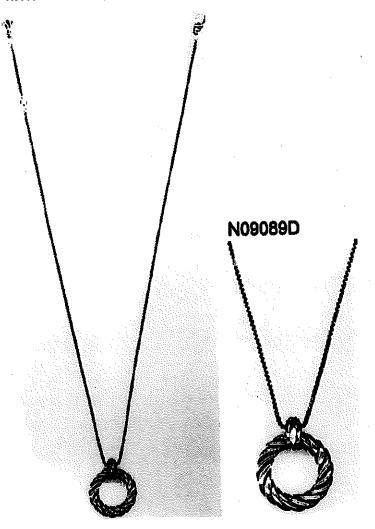


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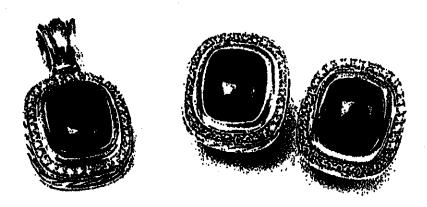
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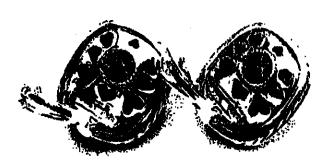
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D06384





D06384 Back View



D06384 Side View

CERTIFICATE OF REGISTRATION



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VA 1-038-299

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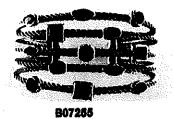
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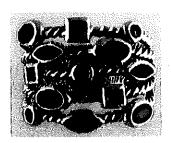
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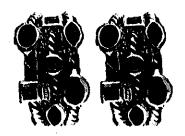
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EXHIBIT B

Prior U.S. Cls.: 2, 27, 28 and 50

United States Patent and Trademark Office

Reg. No. 2,918,700 Registered Jan. 18, 2005

TRADEMARK PRINCIPAL REGISTER

Quatrefoil

YURMAN STUDIOS INC. (NEW YORK CORPORATION)
24 VESTRY
NEW YORK, NY 10013

FOR: FINE JEWELRY, PRECIOUS STONES AND WATCHES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 10-1-2000; IN COMMERCE 10-1-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 76-571,827, FILBD 1-26-2004.

ALICE BENMAMAN, EXAMINING ATTORNEY

Prior U.S. Cls.: 2, 27, 28 and 50

United States Patent and Trademark Office

Reg. No. 2,959,204 Registered June 7, 2005

TRADEMARK PRINCIPAL REGISTER

Albion

YURMAN STUDIOS INC. (NEW YORK CORPORATION)
24 VESTRY
NEW YORK, NY 10013

FOR: FINE JEWELRY AND PRECIOUS STONES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USB 1-1-1996; IN COMMERCE 1-1-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 76-579,029, FILED 3-1-2004.

BRENDAN MCCAULEY, EXAMINING ATTORNEY

Prior U.S. Cls.: 2, 27, 28, and 50

Reg. No. 3,599,276 Registered Mar. 31, 2009

United States Patent and Trademark Office

TRADEMARK PRINCIPAL REGISTER

Metro Cable

YURMAN STUDIO, INC. (NEW YORK CORPORATION)
24 VESTRY STRBET
NEW YORK, NY 10013

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: FINE JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

SN 77-216,847, FILED 6-27-2007.

FIRST USE 12-19-2008; IN COMMERCE 12-19-2008.

SKYE YOUNG, EXAMINING ATTORNEY

Prior U.S. Cls.: 2, 27, 28, and 50

Reg. No. 3,628,543

United States Patent and Trademark Office

Registered May 26, 2009

TRADEMARK PRINCIPAL REGISTER

WHEATON

YURMAN STUDIO, INC. (NEW YORK CORPORATION)
24 VESTRY STRBET
NEW YORK, NY 10013

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 8-1-2008; IN COMMERCE 8-1-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-499,662, FILBD 6-16-2008.

SANDRA MANIOS, EXAMINING ATTORNEY

Nanited States of America United States Patent and Trademark Office

LABYRINTH

Reg. No. 4,422,585

DAVID YURMAN IP LLC (DELAWARE CORPORATION)

Registered Oct. 22, 2013 NEW YORK, NY 10013

24 VESTRY STREET

Int. Cl.: 14

TRADEMARK

FOR: PRECIOUS METAL ITEMS, NAMELY, EARRINGS, PENDANTS AND RINGS WITH DIAMONDS AND/OR COLORED GEMSTONES SET IN SMOOTH PRECIOUS METAL IN-TERTWINED WITH SCULPTED CABLE PRECIOUS METAL, IN CLASS 14 (U.S. CLS. 2,

27, 28 AND 50).

PRINCIPAL REGISTER

FIRST USB 8-0-2012; IN COMMERCE 8-0-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICHLAR FONT, STYLE, SIZE, OR COLOR.

SN 85-552,348, FILED 2-24-2012.

DOMINIC FATHY, EXAMINING ATTORNEY



EXHIBIT C

United States of America United States Patent and Trademark Office



Reg. No. 4,655,095

DAVID YURMAN IP LLC (DELAWARE LIMITED LIABILITY COMPANY)

Registered Dec. 16, 2014 NRW YORK, NY 10013

Int. Cl.: 14

FOR: JEWELRY, BRACELETS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

TRADEMARK

FIRST USE 0-0-1989; IN COMMERCE 0-0-1989.

PRINCIPAL REGISTER

THE MARK CONSISTS OF AN OPEN TWISTED-CABLE BRACELET DESIGN WITH FA-CHIED STONES AT EACH END. THE PORTIONS OF THE BRACELET SHOWN IN BROKEN LINES ARE INTENDED SOLELY TO INDICATE THE POSITIONING OF THE MARK AND ARE NOT PART OF THE MARK. COLOR IS NOT CLAIMED AS A FEATURE OF THE MARK.

SFC. 2(F).

SER. NO. 86-064,049, FILED 9-13-2013.

AISHA CLARKE, EXAMINING ATTORNEY



Michelle K. Zen.
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Potent and Trademork Office.

United States of America United States Patent and Trademark Office



Reg. No. 5,025,164

Registered Aug. 23, 2016

Int. Cl.: 14

Trademark

Principal Register

David Yurman IP LLC (DELAWARE LIMITED LIABILITY COMPANY)

24 Vestry Street

New York, NY 10013

CLASS 14: Jewelry; bracelets

FIRST USE 00-00-1985; IN COMMERCE 00-00-1985

The mark consists of an open twisted-cable bracelet design. At each end is a neck with a diamond-shaped element on the top and oval-shaped elements on the sides. In between the diamond-shaped and oval-shaped elements are two raised beads positioned in an axis parallel to that of the longer axis of the oval. The neck is bordered on each side by two thin circular bands. The portions of the bracelet shown in broken lines are intended solely to indicate the positioning of the mark and are not part of the mark. Further, the materials from which the design is made are not a feature of the mark.

OWNER OF U.S. REG. NO. 4655095

SEC.2(F)

SER. NO. 86-684,126, FILED 07-06-2015 DAVID T MURRAY, EXAMINING ATTORNEY



Michelle K. Len

Director of the United States Patent and Trademark Office

EXHIBIT D

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
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| VA 1-823-085 | | Crystal Labrynth Cuff SKU: 5734 |
| VA 1-849-600 | | Crystal Labrynth Ring SKU: 5737 |
| VA 1-396-825 | | Crystal Quatrefoil Cuff SKU: 5741 |
| | | Crystal Quatrefoil Rings SKU: 5745-2 |
| VA 1-908-902 | | 18K Gold Plated Starburst Bangle SKU: 3716 |
| VA 1-344-469 | | Confetti Crystal Cuff SKU: 5790 |
| | | Pebble Ring SKU: 3693 |
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| Yurman's Copyrighted Design | Waxman's Design |
|-----------------------------|--|
| | SKU not known |
| | Cocktail Ring With Black CZ SKU: 4900 |
| | |
| | Cocktail Ring With Blue CZ SKU: 5380 |
| | |
| | Large Wheaton Style Ring |
| | SKU: 4922-1 |
| | White Ice Wheaton Ring |
| | SKU: 5374-1 |
| | SKU not known (Cable Convention Rings) |
| | |
| | SKU not known (Cable Convention Rings) |
| | |
| | SKU not known (Cable Convention Rings) |
| | |

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
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| | | |
| | | SKU not known (Cable Convention Rings) |
| VA 1-282-478 | | |
| 3 | | |
| | | Crossover Ring SKU: 5370-1 |
| VA 1-722-966 | | |
| | | Crystal Infinity Earrings SKU: 9471 |
| | | Crystal Infinity Ring |
| | *************************************** | SKU: 5715 |
| | | LACED) |
| | | SKUs not known (Black Swirly Earrings) |
| VA 1-800-982 | | |

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
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| | | Citrine Cable Wrap Earrings |
| | | SKU: 5584, 5614 (Black), 5610 (Blue) SKUs not known |
| | | Tear Drop Cable Wrap Necklace SKU: 5618 (Blue), 5619 (Black) |
| VA 1-908-902 VA 1-935-471 | | Crystal Textured Star Ring SKU: 5582-2 |
| | | |
| , | | Crystal Starburst Hook Earrings SKU: 5571 |
| | | Crystal Starburst |

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
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| | | Necklace |
| | | SKU: 5575 |
| VAu 733-123 | | |
| · | | Black Onyx Cable Wrap Necklace |
| | | SKU: 5652 |
| | | Turquoise Cable Wrap Ring |
| | | SKU: 5368 |
| VAu 405-161 | | 4MM Black Cable Classic Bangle |
| VA 1-747-809 | 500 | Crystal Cable Earrings SKU: 5528 |
| | | Crystal Cable Necklace SKU: 5536 |

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
|------------------|-----------------------------|--|
| | | Cable Classic Station Bangle SKU: 3567 |
| | | SKUs not known |
| | | SKUs not known |
| VA 1-116-155 | | |
| | | Faux Pearl Square Earrings SKU: 5479, 5484 (Crystal Onyx) |
| VA 1-024-276 | | |
| | | Citrine Picture Frame Pendant SKU: 3759 |
| VA 1-038-299 | | |

| Registration No. | Yurman's Copyrighted Design | Waxman's Design |
|------------------|-----------------------------|---|
| | | Morganite cable classic bangle |
| • | | SKU: 1326 |
| | | |
| | | Two Tone Cable Classic Bangle SKU: 5760 |
| | | |
| | | Two tone blue cable classic bangle SKU: 3532 |
| | | |
| | , | 7 mm pink cable Bangle SKU: 5774 |
| | | |
| | | Garnet cable bangle SKU: N/A |
| | | |
| | | Cable classic two tone amethyst CZ bangle SKU: 9343 |
| | | |
| | | Two tone black cable classic bangle SKU: 3529 |

| Registration No. | Yurman's Design Mark | Waxman's Product |
|------------------|----------------------|---|
| 4,655,095 | | Hematite and crystal classic bangle SKU: 2722 |
| 4,655,095 | | Hampton blue cable bangle bracelet SKU: 0846 |
| 4,655,095 | | Citrine classic bangle bracelet SKU: 0833 |
| 4,655,095 | | Amethyst ice cable bangle SKU: 3538 |
| 4,655,095 | | 5 mm peridot cable classic crystal bangle SKU: 3340 |
| 4,655,095 | | 5 mm black crystal bangle SKU: 3344 |

| Registration No. | Yurman's Design Mark | Waxman's Product |
|------------------|----------------------|--|
| 4,655,095 | | Jet Black cable bangle SKU: 5388 |
| 4,655,095 | | London Blue cable bangle SKU: 5390 |
| 4,655,095 | | Smoky brown cable bangle SKU: 5386 |
| 1,655,095 | | White ice cable bangle SKU: 5384 |
| ,655,095 | | Morganite cable classic bangle SKU: 1326 |
| 1,655,095 | | Two tone blue cable classic bangle SKU: 3552 |

| Registration No. | Yurman's Design Mark | Waxman's Product |
|------------------|----------------------|---|
| 4,655,095 | | 7 mm pink cable bangle SKU: 5774 |
| 4,655,095 | | Garnet cable bangle SKU: NA |
| 4,655,095 | | Cable classic two tone amethyst CZ bangle SKU: 9343 |
| 4,655,095 | | Two tone black cable classic bangle SKU: 3529 |
| 5,025,164 | | Two tone crystal mosaic bracelet SKU: 3541 |